



STATE OF NEW HAMPSHIRE  
OFFICE OF THE GOVERNOR

CHRISTOPHER T. SUNUNU  
Governor

July 28, 2018

RECEIVED

AUG 16 2018

OFFICE OF THE REGIONAL ADMINISTRATOR

Alexandra Dunn, Regional Administrator  
U.S. EPA – New England  
5 Post Office Square (ORA01-4)  
Boston, MA 02109

Dear Administrator Dunn:

The State of New Hampshire has designated our Department of Health and Human Services (NH DHHS) as the authorized state agency to apply for and administer the State Indoor Radon Grant (SIRG) as authorized by the Indoor Radon Abatement Act of 1988.

As you may know, New Hampshire has some of the highest levels of indoor radon ever recorded in the United States and thus a significantly higher risk of radon related health effects. The outreach, education and awareness provided by a radon program will address the preventable occurrence of radon induced lung cancer in New Hampshire. A radon program at the state level is essential to providing New Hampshire citizens with important information on radon gas in homes and private water well supplies. Due to changes in available funding, the State of New Hampshire has been without a radon program since 2011. The New Hampshire Department of Health & Human Services, Division of Public Health Services has identified a viable source of matching funds for the State Indoor Radon Grant.

The official address for you records should be:

Lisa Morris, MSSW, Director  
New Hampshire Division of Public Health Services  
Department of Health and Human Services  
29 Hazen Drive  
Concord, NH 03301

We thank you for providing New Hampshire with the opportunity to apply for the State Indoor Radon Grant to assist with the reestablishment of a New Hampshire Radon Program.

Sincerely,

Christopher T. Sununu  
Governor

cc: Jeffery A. Meyers, DHHS Commissioner  
Lisa Morris, DPHS Director  
Mathew Cahillane, DPHS Program Manager

107 North Main Street, State House - Rm 208, Concord, New Hampshire 03301

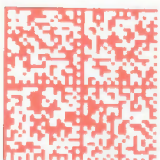
Telephone (603) 271-2121 • FAX (603) 271-7640

Website: <http://www.governor.nh.gov/> • Email: [governorsununu@nh.gov](mailto:governorsununu@nh.gov)

TDD Access: Relay NH 1-800-735-2964

8290  
HEALTH OFFICER LIAISON UNIT  
DIVISION OF PUBLIC HEALTH SERVICES  
STATE OF NEW HAMPSHIRE  
29 HAZEN DRIVE  
CONCORD, NH 03301-6504

PRESORTED  
FIRST CLASS



U.S. POSTAGE PTNEY BOWES  
ZIP 03301 \$ 000.40<sup>8</sup>  
02 1W  
0001401241 AUG 13 2018

ALEXANDRA DUNN, REGIONAL DIRECTOR  
U.S. EPA - NEW ENGLAND  
5 POST OFFICE SQUARE (ORA01-4)  
BOSTON, MA 02109

2-4

EXXMSAB 02109





**STATE OF NEW HAMPSHIRE  
OFFICE OF THE GOVERNOR**

**CHRISTOPHER T. SUNUNU**  
Governor

**August 22, 2018**

**The Honorable Andrew Wheeler  
Acting Administrator  
U.S. Department of Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460**

**Dear Acting Administrator Wheeler,**

As you know, tick-borne diseases are on the rise across the country. According to the Center for Disease Control, Lyme disease is now prominent in 46 states. The northeastern states, from Maine through Maryland, have the greatest concentration of ticks in the nation. And of course with ticks, comes the challenge of Lyme disease.

Recent statistics out of the CDC have shown a dramatic three-fold rise in tick- and mosquito-borne diseases, which therefore makes tick management an important consideration for municipalities, schools, parks and state governments.

In New Hampshire it is almost impossible now to find anybody who doesn't have a loved one, friend, or acquaintance with Lyme disease. It is heartbreaking to see the effects of this often times debilitating disease. In fact, a recent study highlighted in US Today found that over 1,200 suicides each year—and more 31,000 suicide attempts—are attributed to Lyme disease. The black-legged tick that carries the bacterium that causes this and its related diseases is also ravaging our cats and dogs, as well as the state's iconic moose population. This isn't just a human and animal tragedy, it's also a major economic problem to states like mine that depend upon the tourists who venture here from around the world for the unique outdoor activities that we have to offer. Similarly, the rising fear of tick-borne illness serves as a detriment to families getting outside and being active.

Given the acceleration of tick- and mosquito-borne diseases in the United States, and the crippling human, animal, and economic impact that these diseases cause, I implore the EPA to accelerate the review and registration of new tick and mosquito protection products with the potential to help states like mine better protect itself.

For example, there is a product called nootkatone currently under review by the EPA that experts, including those at the CDC, claim have a number of advantages over existing products. I am told that if the EPA completes its registration of nootkatone in the August-

September timeframe this product could be introduced commercially to state's public health departments and to the American public in time to provide benefit during next year's tick and mosquito season. I am also told that it is not unreasonable to expect the EPA to complete its registration of nootkatone in that timeframe.

I am asking the EPA to please act now and accelerate the review of nootkatone and any other products capable of helping us to reduce this dangerous onslaught of tick- and mosquito-borne diseases that are crippling our communities and our economies.

Thank you for your prompt attention to this important issue and we look forward to the agency taking action. Please contact D.J. Bettencourt, in my office at 603-271-8786 if you have any questions concerning this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris T. Sununu". The signature is fluid and cursive, with the first name "Chris" and last name "Sununu" being more prominent than the middle initial "T".

Christopher T. Sununu  
Governor



E. SCOTT PRUITT  
ADMINISTRATOR

November 6, 2017

The Honorable Chris Sununu  
Governor of New Hampshire  
107 North Maine Street  
Concord, New Hampshire 03301

Dear Governor Sununu:

I am writing to inform you that, consistent with your recommendations, the U.S. Environmental Protection Agency has determined that air quality in New Hampshire meets the 2015 ground-level ozone standards. As such, we are designating all of New Hampshire "unclassifiable/attainment." This is good news for the citizens of New Hampshire. I encourage you to continue your efforts to maintain air quality that meets the 2015 ozone standards.

Improved air quality is a shared goal and together, we have made considerable progress to reduce ozone levels throughout the country. As a testament to cooperative federalism, monitored levels of ozone have dropped 22 percent since 1990. Increasingly important is the recognition of and improved understanding regarding external elements that can impact a state's ability to achieve compliance, including background ozone, international transport and exceptional events. The agency intends to give appropriate consideration to these and many other factors in our continued conversation and work with you and your state staff on the 2015 ozone standards. I appreciate the information already provided and look forward to continued engagement on this important issue.

If you have questions or concerns, please contact me or your staff may contact Troy Lyons, Associate Administrator for the Office of Congressional and Intergovernmental Relations, at [lyons.troy@epa.gov](mailto:lyons.troy@epa.gov) or at (202) 564-5200.

Respectfully yours,

A handwritten signature in black ink, which appears to read "E. Scott Pruitt", is written over a horizontal line.

E. Scott Pruitt





The Administrator  
Washington, D. C. 20460  
JUN 12 2017

Dear Governor -

Sorry I missed your recent visit to the Agency... Hope your meeting went well and we were able to assist you! Counted on you and if I can be of help, let me know.

A handwritten signature in black ink, appearing to be "Scott", with a long horizontal stroke extending to the right.

Internet Address (URL) • <http://www.epa.gov>

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 50% Postconsumer content)

Governor Sununu  
Office of the Governor  
107 North Main Street  
Concord, NH 03301



E. SCOTT PRUITT  
ADMINISTRATOR

September 7, 2017

The Honorable Kay Ivey  
Governor of Alabama  
State Capitol  
600 Dexter Avenue  
Montgomery, Alabama 36130

The Honorable Nathan Deal  
Governor of Georgia  
206 Washington Street  
111 State Capitol  
Atlanta, Georgia 30334

The Honorable Larry Hogan  
Governor of Maryland  
100 State Circle  
Annapolis, Maryland 21401

The Honorable Phil Bryant  
Governor of Mississippi  
P.O. Box 139  
Jackson, Mississippi 39205

The Honorable Roy Cooper  
Governor of North Carolina  
Office of the Governor  
20301 Mail Service Center  
Raleigh, North Carolina 27699

The Honorable Henry McMaster  
Governor of South Carolina  
1205 Pendleton Street  
Columbia, South Carolina 29201

The Honorable Bill Haslam  
Governor of Tennessee  
Tennessee State Capitol  
Nashville, Tennessee 37243

The Honorable Terry McAuliffe  
Governor of the Commonwealth of Virginia  
State Capitol  
Third Floor  
Richmond, Virginia 23219

The Honorable Greg Abbott  
Governor of Texas  
Office of the Governor  
P.O. Box 12428  
Austin, Texas 78711-2428

The Honorable John Bel Edwards  
Governor of Louisiana  
Office of the Governor  
P.O. Box 94004  
Baton Rouge, Louisiana 70804

The Honorable Rick Scott  
Governor of Florida  
PL 05 The Capitol  
400 South Monroe Street  
Tallahassee, Florida 32399-0001

The Honorable Bruce Rauner  
Governor of Illinois  
State Capitol  
207 Statehouse  
Springfield, Illinois 62706



The Honorable Muriel Bowser  
Mayor of the District of Columbia  
1350 Pennsylvania Avenue NW  
Suite 316  
Washington, D.C. 20004

The Honorable Eric Holcomb  
Governor of Indiana  
State House  
Room 206  
Indianapolis, Indiana 46204-2797

The Honorable Sam Brownback  
Governor of Kansas  
Capitol  
300 SW 10th Avenue, Suite 212S  
Topeka, Kansas 66612-1590

The Honorable Matt Bevin  
Governor of Kentucky  
700 Capitol Ave., Suite 100  
Frankfort, Kentucky 40601

The Honorable Rick Snyder  
Governor of Michigan  
P.O. Box 30013  
Lansing, Michigan 48909

The Honorable Mark Dayton  
Governor of Minnesota  
130 State Capitol  
75 Rev. Dr. Martin Luther King, Jr.  
Boulevard  
St. Paul, Minnesota 55155

The Honorable Eric Greitens  
Governor of Missouri  
Capitol Building  
Room 216, P.O. Box 720  
Jefferson City, Missouri 65102

The Honorable Pete Ricketts  
Governor of Nebraska  
P.O. Box 94848  
Lincoln, Nebraska 68509-4848

The Honorable John Kasich  
Governor of Ohio  
30th Floor  
77 South High Street  
Columbus, Ohio 43215

The Honorable Mary Fallin  
Governor of Oklahoma  
Capitol Building  
2300 Lincoln Blvd., Rm. 212  
Oklahoma City, Oklahoma 73105

The Honorable Dennis Daugaard  
Governor of South Dakota  
500 East Capitol Street  
Pierre, South Dakota 57501

The Honorable Scott Walker  
Governor of Wisconsin  
115 East State Capitol  
Madison, Wisconsin 53707

The Honorable Dan Malloy  
Governor of Connecticut  
210 Capitol Avenue  
Hartford, Connecticut 06106

The Honorable Paul LePage  
Governor of Maine  
#1 State House Station  
Augusta, Maine 04333

The Honorable Charlie Baker  
Governor of Massachusetts  
State House  
Office of the Governor, Room 360  
Boston, Massachusetts 02133

The Honorable Chris Sununu  
Governor of New Hampshire  
Office of the Governor  
107 North Main Street, Room 208  
Concord, New Hampshire 03301



The Honorable Gina Raimondo  
Governor of Rhode Island  
State House  
Providence, Rhode Island 02903

The Honorable Phil Scott  
Governor of Vermont  
109 State Street  
Pavilion Office Building  
Montpelier, Vermont 05609

The Honorable John Carney  
Governor of Delaware  
Legislative Hall  
Dover, Delaware 19901

The Honorable Chris Christie  
Governor of New Jersey  
The State House  
P.O. Box 001  
Trenton, New Jersey 08625

The Honorable Andrew Cuomo  
Governor of New York  
State Capitol  
Albany, New York 12224

The Honorable Tom Wolf  
Governor of Pennsylvania  
Room 225  
Main Capitol Building  
Harrisburg, Pennsylvania 17120

The Honorable Jim Justice  
Governor of West Virginia  
1900 Kanawha Street  
Charleston, West Virginia 25305

The Honorable Asa Hutchinson  
Governor of Arkansas  
State Capitol  
Room 250  
Little Rock, Arkansas 72201

The Honorable Kim Reynolds  
Governor of Iowa  
State Capitol  
Des Moines, Iowa 50319-0001

The Honorable Doug Burgum  
Governor of North Dakota  
Dept. 101  
600 E. Boulevard Ave.  
Bismarck, North Dakota 58505-0001

The Honorable Susana Martinez  
Governor of New Mexico  
State Capitol  
Fourth Floor  
Santa Fe, New Mexico 87501

Re: September 7, 2017 Fuel Waiver Concerning Conventional and Reformulated Gasoline in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, Delaware, Maryland, New Jersey, New York, Pennsylvania, Florida, Georgia, North Carolina, South Carolina, Virginia, West Virginia, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, Alabama, Arkansas, Louisiana, Mississippi, New Mexico, Texas, and the District of Columbia

Dear Governors and Mayor Bowser:

On August 31, 2017, following damage caused by Hurricane Harvey, I waived certain requirements of the Clean Air Act (CAA) relating to the sale, distribution and use of reformulated gasoline (RFG) and low volatility conventional gasoline in your states to address fuel supply emergencies caused by Hurricane Harvey. I have received requests by some of you or on your behalf regarding the continuing need for a waiver of the RFG requirements and the unique low volatility requirements in the Texas State Implementation Plan (SIP) that apply after the waiver period covered by my August 31, 2017 letter.

In response to these requests, and based on our evaluation of the continuing effects of Hurricane Harvey on the nation's fuel supply system and the effects of large-scale evacuations in response to Hurricane Irma, the U.S. Environmental Protection Agency has determined, and the U.S. Department of Energy concurs, that it is necessary to take further action to minimize or prevent the disruption of an adequate supply of gasoline in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, Delaware, Maryland, New Jersey, New York, Pennsylvania, Florida, Georgia, North Carolina, South Carolina, Virginia, West Virginia, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, Alabama, Arkansas, Louisiana, Mississippi, New Mexico, Texas, and the District of Columbia. ("designated states and D.C.")<sup>1</sup>

As a result of Hurricane Harvey, about 14 refineries in the Gulf-area were shut down, pipelines originating in the Gulf-area that serve the south, southeast, mid-Atlantic, and mid-west states were disrupted due to storm damage, and ports that supply crude oil to Gulf-area refineries were closed. The designated states and D.C. receive a significant percentage of their gasoline supplies from the Gulf-area refineries and through the pipelines originating in the Gulf-area. Although parties in the fuel production and supply chain are making progress towards resuming normal operations, there continues to be limited production and availability of fuel to areas both within and outside of the Gulf-area. Currently six of those refineries remain shut-down, and many others are in the process of re-starting or operating at reduced capacity. While ports serving these refineries are beginning to re-open, most have restrictions limiting shipments. The refinery shut-downs, production curtailments, limited shipments of fuel by barge in the Gulf area, pipeline limitations caused by Hurricane Harvey and evacuations caused by Hurricane Irma are continuing

---

<sup>1</sup> These areas are located in Petroleum Administration for Defense Districts 1-3.



to create a shortage of compliant fuel for the designated states and D.C.

These supply shortages can be reduced by waiving the low volatility gasoline requirements, the RFG requirements, and provisions at 40 C.F.R. § 80.78(a)(7) that prohibit any person from combining any RFG blendstock for oxygenate blending with any other gasoline, blendstock, or oxygenate, unless certain conditions are met.

I have determined that an “extreme and unusual fuel [ ] supply circumstance” exists that will prevent the distribution of an adequate supply of gasoline to consumers. CAA § 211(c)(4)(C)(ii)(I), 42 U.S.C. § 7545(c)(4)(C)(ii)(I). This extreme and unusual fuel circumstance is the result of Hurricane Harvey and impending impact of Hurricane Irma, natural disasters that could not reasonably have been foreseen or prevented, and is not attributable to a lack of prudent planning on the part of suppliers of the fuel to these areas. CAA § 211(c)(4)(C)(ii)(II), 42 U.S.C. § 7545(c)(4)(C)(ii)(II). Furthermore, I have determined that it is in the public interest to grant this waiver and that this waiver applies to the smallest geographic area necessary to address the fuel supply circumstances. CAA § 211(c)(4)(C)(ii)(III) and (iii)(I), 42 U.S.C. § 7545(c)(4)(C)(ii)(III) and (iii)(I).

The EPA, in consultation with DOE, has evaluated the impact of disruption of the fuel production and distribution system on fuel supply in the designated states and D.C. Based on this evaluation, the EPA has determined, and DOE concurs, that it is necessary to take the following action to minimize or prevent further disruption of an adequate supply of gasoline to consumers in these areas.

#### Federal RVP Standards

I am issuing this waiver of the federal Reid vapor pressure (RVP) requirements at 40 C.F.R. § 80.27 in the designated states to minimize or prevent problems with the supply of gasoline to these areas. Under this temporary waiver, regulated parties may produce, sell or distribute winter gasoline within the designated states. This waiver is effective immediately and will continue through September 15, 2017. Since the waiver will be in effect until the end of the high ozone season, this waiver does not address downstream standards under the federal RVP requirements at 40 C.F.R. § 80.27 that apply after September 15, 2017.

#### Texas Low Volatility SIP

I am extending the waiver of the 7.8 pounds per square inch (psi) RVP standards that applies to the areas covered by the Texas low-volatility gasoline programs in the federally-enforceable SIP. The Texas SIP includes two different programs. First, the SIP requires gasoline to be sold in 95 eastern Texas counties (Eastern Texas SIP RVP Counties) to have a maximum RVP of 7.8 psi during the summer “high ozone” season, which starts June 1, 2017 and ends on October 1, 2017. 66 Fed. Reg. 20,927 (April 26, 2001).<sup>2</sup> Second, the Texas SIP requires gasoline

---

<sup>2</sup> The following 95 eastern Texas counties have a 7.8 psi RVP requirement through October 1, 2017: Anderson,

sold in El Paso County to have a maximum RVP of 7.0 psi RVP through September 16, 2017. 60 Fed. Reg. 12,438 (March 7, 1995).

I am issuing this waiver of the low RVP gasoline requirements that apply to the federally enforceable Texas low volatility gasoline programs. This waiver is effective immediately. Under this temporary waiver, regulated parties may produce, sell or distribute winter gasoline within the state of Texas.

The waiver of the low RVP requirements in the Texas SIP that apply to El Paso County will continue through September 16, 2017. Since the waiver will be in effect until the end of the time period that requires the use of low volatility gasoline in El Paso county under the Texas SIP, this waiver does not address downstream standards that apply in El Paso county after September 16, 2017.

The waiver of the low RVP requirements in the Texas SIP that apply to the Eastern Texas SIP Counties will continue through September 26, 2017. After September 26, 2017, refiners and importers may not produce or import gasoline that does not meet the Texas SIP requirements for distribution into the Eastern Texas SIP RVP Counties. However, any gasoline for use in the Eastern Texas SIP RVP Counties that is in the distribution system on September 26, 2017, may be distributed and sold until the supply is depleted. Gasoline that is in the possession of parties in the fuel distribution system other than retailers and wholesale purchaser-consumers must meet the low RVP requirements of the Texas SIP by no later than October 26, 2017. Retailers and wholesale purchaser-consumers may continue selling or dispensing gasoline produced under the waiver until their supplies are depleted.

#### Other Federally-Enforceable SIP Covered Areas

Some of the designated states have federally-enforceable SIPs that require the use of low-volatility gasoline. I am issuing this waiver of all low volatility gasoline requirements in any SIP that applies in the designated states (other than Texas which is addressed above) to minimize or prevent problems with the supply of gasoline to these areas. This waiver is effective immediately and will continue through September 15, 2017. Since the waiver will be in effect until the end of the high ozone season, this waiver does not address downstream RVP standards that apply after September 15, 2017.

---

Angelina, Aransas, Atascosa, Austin, Bastrop, Bee, Bell, Bexar, Bosque, Bowie, Brazos, Burleson, Caldwell, Calhoun, Camp, Cass, Cherokee, Colorado, Comal, Cooke, Coryell, De Witt, Delta, Ellis, Falls, Fannin, Fayette, Franklin, Freestone, Goliad, Gonzales, Grayson, Gregg, Grimes, Guadalupe, Harrison, Hays, Henderson, Hill, Hood, Hopkins, Houston, Hunt, Jackson, Jasper, Johnson, Karnes, Kaufman, Lamar, Lavaca, Lee, Leon, Limestone, Live Oak, Madison, Marion, Matagorda, McLennan, Milam, Morris, Nacogdoches, Navarro, Newton, Nueces, Panola, Parker, Polk, Rains, Red River, Refugio, Robertson, Rockwall, Rusk, Sabine, San Jacinto, San Patricio, San Augustine, Shelby, Smith, Somervell, Titus, Travis, Trinity, Tyler, Upshur, Van Zandt, Victoria, Walker, Washington, Wharton, Williamson, Wilson, Wise, and Wood.



## Reformulated Gasoline

I am issuing this waiver of the federal RFG requirements in the designated states and D.C. Under this waiver, the EPA will allow regulated parties to produce, sell or distribute conventional winter gasoline (including gasoline blendstock for oxygenate blending (BOBs)) in any RFG covered area within the designated states and D.C. Additionally, I am waiving the provisions at 40 C.F.R. § 80.78(a)(7) that prohibit any person from combining any RFG BOBs with any other gasoline, blendstock, or oxygenate, unless certain conditions are met. This waiver covers the prohibitions at 40 C.F.R. § 80.78(a)(7), and applies to all designated states and D.C.<sup>3</sup>

This waiver is effective immediately and will continue through September 26, 2017. After September 26, 2017, refiners and importers may not produce or import CG for distribution into RFG covered areas in the designated states and D.C. However, any gasoline for use in the designated states and D.C. that is in the distribution system on September 26, 2017, may be distributed and sold until the supply is depleted. Gasoline that is in the possession of parties in the fuel distribution system other than retailers and wholesale purchaser-consumers must meet the RFG requirements by no later than October 26, 2017. Retailers and wholesale purchaser-consumers may continue selling or dispensing gasoline produced under the waiver until their supplies are depleted.

This waiver supersedes my August 31, 2017 waiver, and only applies to the applicable federal requirements cited above for the designated states and D.C. Other state or local requirements or restrictions related to this matter may need to be addressed by the appropriate authorities. Should conditions warrant, this waiver may be modified, terminated or extended, as appropriate. If you have questions you may call me, or your staff may call Phillip Brooks at (202) 564-0652.

Respectfully yours,



E. Scott Pruitt

cc: The Honorable Rick Perry, Secretary of Energy  
Richard Hyde, P.E., Executive Director, Texas Commission on Environmental Quality  
Dr. Chuck Carr Brown, Secretary, Louisiana Department of Environmental Quality

---

<sup>3</sup>Since I have waived the RVP requirements in 40 C.F.R. § 80.27 and in low RVP SIPs in the designated states, parties who blend butane into previously certified conventional gasoline during the waiver period do not need to conduct the sampling and testing at 40 C.F.R. § 80.82(e)(1). Since I have waived the requirement to sell RFG in the designated states and D.C. during the waiver period, the prohibitions at 40 C.F.R. § 80.82(e)(2) also do not apply during this time period.



Richard E. Dunn, Director, Georgia Environmental Protection Division  
Jeffery F. Koerner, Director, Florida Division of Air Resource Management  
Molly Joseph Ward, Virginia Secretary of Natural Resources  
Michael J. Teague, Oklahoma Secretary of Energy and Environment  
Becky W. Keogh, Director, Arkansas Department of Environmental Quality



**STATE OF NEW HAMPSHIRE**  
**OFFICE OF THE GOVERNOR**

**CHRISTOPHER T. SUNUNU**  
Governor

January 24, 2018

Scott Pruitt, Administrator  
USEPA Headquarters  
William Jefferson Clinton Building  
1200 Pennsylvania Avenue, N. W.  
Mail Code: 1101A  
Washington, DC 20460

Dear Administrator Pruitt,

I am writing regarding a meeting I recently had with the Great Bay Coalition, a group consisting of the cities of Rochester, Portsmouth and Dover, New Hampshire. I met with them at their request to discuss the tremendous effort the Coalition cities have made to reduce nutrient discharges from their respective wastewater treatment facilities (WWTF) and stormwater as well as their concerns and frustrations with EPA Region 1 permitting staff regarding the wastewater NPDES permits for these communities.

In the past, Region 1 has suggested that they intend to impose limits of technology in their NPDES wastewater permits for nutrients – that is, 3 mg/l for Total Nitrogen (TN) discharges. As I understand it, EPA has assumed that these low nutrient limits are necessary to restore eelgrass in the Great Bay Estuary (GBE). However, several national experts that have looked specifically at this issue have found that there is currently not enough information to make the determination that nitrogen is the primary factor in eelgrass degradation. More data and scientific study are needed to fully understand the state of the GBE.

The Coalition cities have voluntarily implemented significant nitrogen reductions to their wastewater discharges as part of an adaptive management strategy to test the estuary's response to the reductions before spending tens of millions of dollars to achieve further reductions. Rochester, for example, has taken steps to reduce total nitrogen (TN) discharges by more than 80% from historic levels, from averaging 40 mg/l or higher to below 10 mg/l and have achieved below 8 mg/l during summer months. Rochester has also seen impressive total phosphorus (TP) reductions of about 60% for the 2015 growing season compared with prior average levels. The City of Dover constructed an upgrade to its WWTF that came on-line in September 2015. Its TN effluent concentration has dropped from 23 mg/l to less than 8 mg/l during the growing season. The Towns of Newmarket, Durham, and Exeter have or are in the process of implementing TN reduction at their wastewater plants that discharge to the GBE. I understand that these and other load reductions have resulted in improvements to ambient TN levels in GBE approaching or even meeting those levels that may be fully protective of eelgrass populations.

The City of Portsmouth entered into a consent decree with EPA to upgrade its Pierce Island WWTF that includes an action level to operate to meet a seasonal 8 mg/l TN once its \$92 million treatment system is fully operational in April 2020. In the meantime, Portsmouth has an immediate need to upgrade its second WWTF at the Pease International Tradeport in order to upgrade aging facilities and accommodate the significant growth of a major regional employer located at the Pease International Tradeport. That design and construction effort is hindered by EPA's potential requirements to meet a limit of technology permit for TN.

107 North Main Street, State House - Rm 208, Concord, New Hampshire 03301  
Telephone (603) 271-2121 • FAX (603) 271-7640  
Website: <http://www.governor.nh.gov/> • Email: [governorsununu@nh.gov](mailto:governorsununu@nh.gov)  
TDD Access: Relay NH 1-800-735-2964

If EPA imposes these low nutrient limits at its WWTF, it will cost the City of Rochester more than \$22 million for facility upgrades, plus a million dollars or more a year in operational costs. Those costs would double its sewer rates to residents and businesses. Large industrial users in the City may decide to relocate for cheaper costs, further increasing the rates for remaining residents and businesses. Dover and Portsmouth face similar concerns if forced to do further upgrades to their facilities to meet a 3 mg/l TN limit. Given the experts' acknowledged lack of data to support the need for additional nitrogen reduction, I can understand why these communities question the benefit of incurring these costs.

At a recent meeting, the Commissioner of the NH Department of Environmental Services, Bob Scott, stated that what was important was the water quality improvements to the environment, not from where the improvements come. Use of limit of technology standards for WWTFs where more environmentally beneficial solutions could be found through other venues at less cost is counterproductive and unnecessarily burdensome.

New Hampshire's communities have a long and proud history of protecting our precious natural resources, including our many lakes, rivers, and bays. The Coalition communities have demonstrated a willingness to take appropriate actions to improve water quality in the Great Bay Estuary, and those actions should be appropriately recognized.

I had previously reached out to your office to request that when a Regional Administrator for Region 1 was confirmed that they meet with our towns over this issue. I was happy to learn that newly confirmed Region 1 Administrator Dunn and Assistant Administrator Ross are coming to New Hampshire to meet with members of the Great Bay Coalition. This is an important issue for New Hampshire and I appreciate quick engagement with our communities.

I further invite you to visit New Hampshire, for a discussion focused on how we can find smart ways to protect our environment that doesn't shut down the economy. I believe we can develop a sensible and scientifically based approach that recognizes the tremendous progress these communities have made protects our environment and provides the resources to our communities so that they can continue with a sustainable and balanced approach to protecting the estuary.

Sincerely,



Christopher T. Sununu  
Governor

CC EPA Region 1 Administrator Dunn  
EPA Assistant Administrator Ross



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

February 8, 2018

The Honorable Christopher T. Sununu  
Governor of New Hampshire  
State House  
107 North Main Street  
Concord, NH 03301

Dear Governor Sununu:

Thank you for your January 24 letter to Administrator Pruitt about Great Bay permitting issues. The Administrator has asked me to respond to you on his behalf.

EPA recognizes and appreciates the significant and meaningful investments that New Hampshire communities have made to reduce nitrogen discharges to Great Bay. We share your interest in ensuring that continuing investments are guided by the best available science about the Bay's health and ecology. On February 6, Dave Ross, EPA's Assistant Administrator for Water and I met with members of the Great Bay Coalition to discuss these issues. The discussion was productive, collaborative, and amicable, and the group agreed to several cooperative follow-up steps, including further discussions to ensure that we are all sharing the latest scientific information about Great Bay.

EPA is committed to continue to engage these communities and the public in this ongoing dialogue based on outcomes and results. We know that permitting decisions have important consequences for communities, and we will maintain active communications with them as the permitting process unfolds. We will also continue to work closely with the NH Department of Environmental Services (DES). Commissioner Bob Scott participated in the February 6 meeting; we highly value DES's engagement and believe it is very important that we continue to work together on these permits. We also appreciate the strong interest in this meeting shown by the participation of your Senate and House delegations' staff and our related meeting with representatives of the Conservation Law Foundation.

Thank you for your interest and commitment. I look forward to working with New Hampshire on these issues, which are so important to the state's environmental and economic future.

Sincerely,

A handwritten signature in black ink, reading "Alexandra Dapolito Dunn".

Alexandra Dapolito Dunn  
Regional Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

THE ADMINISTRATOR

March 30, 2017

The Honorable Chris Sununu  
Governor of New Hampshire  
Office of the Governor  
25 Capitol Street, Room 212  
Concord, New Hampshire 3301

Dear Governor Sununu:

On February 9, 2016, the Supreme Court of the United States stayed implementation of the Clean Power Plan (CPP) effectively "suspend[ing] administrative alteration of the status quo." *Nken v. Holder*, 556 U.S. 418, 428 n.1 (2009). Further, pursuant to the Administrative Procedure Act, the Supreme Court has authority to "issue all necessary and appropriate process to postpone the effective date of an agency action or to preserve status or rights pending conclusion of the review proceedings." 5 U.S.C. § 705.

Under that precedent, States and other interested parties have neither been required nor expected to work towards meeting the compliance dates set in the CPP. It is the policy of the Environmental Protection Agency (EPA) that States have no obligation to spend resources to comply with a Rule that has been stayed by the Supreme Court of the United States. To the extent any deadlines become relevant in the future, case law and past practice of the EPA supports the application of day-to-day tolling.

The days of coercive federalism are over. Accordingly, I look forward to working with you, your state experts and local communities as we develop a path forward to improve our environment and bolster the economy in a manner that is respectful of and consistent with the rule of law.

Respectfully yours,

E. Scott Pruitt





THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

April 28, 2017

The Honorable Chris Sununu  
Office of the Governor  
25 Capitol Street, Room 212  
Concord, New Hampshire 3301

Dear Governor Sununu:

I am writing to inform you about steps the U.S. Environmental Protection Agency (EPA) is taking to implement new authority for authorizing state coal combustion residual (CCR) management permit programs provided by section 2301 of the Water Infrastructure Improvements for the Nation Act (WIIN Act), P.L. 114-322. The successful implementation of this authority will require cooperation between EPA and state technical experts, the regulated community, and other stakeholders. I know that some states have already discussed with EPA how they manage CCR, and I encourage you to continue those efforts and work with EPA to submit your program applications for approval in a timely manner. If you have not done so, I encourage you to evaluate developing a CCR permit program and submitting it to EPA for authorization.

As you may know, in 2014, the EPA issued national standards for the management of CCR under Subtitle D of the Resource Conservation and Recovery Act (RCRA). As EPA explained in the Preamble to the CCR rule, due to the limited authority under RCRA Subtitle D, these standards applied directly to the owners and operators of CCR landfills and surface impoundments and could not be tailored to the unique circumstances of individual facilities and states through EPA-authorized permit programs. In addition, these standards were enforceable only by citizen suits.

Based on the concept of cooperative federalism that is a hallmark of our environmental laws, section 2301 of the WIIN Act authorizes state permit programs to manage CCR. EPA has started developing guidance for states about how EPA expects to review and approve state applications to operate permit programs and allow flexibility in individual permits in lieu of the national standards. EPA discussed plans for this draft guidance with a number of state environmental directors at the Environmental Council of States on April 7, 2017. EPA also is discussing this in greater detail with technical experts at the Association of State and Territorial Solid Waste Management Officials.

I look forward to assisting your state with implementing section 2301 of the WIIN Act.

Respectfully yours,

E. Scott Pruitt



E. SCOTT PRUITT  
ADMINISTRATOR  
September 1, 2017

The Honorable Chris Sununu  
Governor of New Hampshire  
Office of the Governor  
25 Capitol Street, Room 212  
Concord, New Hampshire 3301

Re: Multi State Fuel Waiver

Dear Governor Chris Sununu:

I want to personally thank you for your steadfast support as we move forward to ensure the wellbeing of the communities affected by Hurricane Harvey. Over the past few days, the U.S. Environmental Protection Agency has issued several fuel waivers in order to minimize or prevent problems with the supply of gasoline and to facilitate recovery and response actions. Attached you will find the fuel waiver for 38 states and the District of Columbia that was signed on August 31, 2017.

I am confident that working together we will be successful in rebuilding these communities.

Respectfully yours,

A handwritten signature in black ink, which appears to read "Scott Pruitt", is written over a large, stylized circular flourish.

E. Scott Pruitt

Enclosure



**E. SCOTT PRUITT**  
**ADMINISTRATOR**

August 31, 2017

The Honorable Kay Ivey  
Governor of Alabama  
State Capitol  
600 Dexter Avenue  
Montgomery, Alabama 36130

The Honorable Nathan Deal  
Governor of Georgia  
206 Washington Street  
111 State Capitol  
Atlanta, Georgia 30334

The Honorable Larry Hogan  
Governor of Maryland  
100 State Circle  
Annapolis, Maryland 21401

The Honorable Phil Bryant  
Governor of Mississippi  
P.O. Box 139  
Jackson, Mississippi 39205

The Honorable Roy Cooper  
Governor of North Carolina  
Office of the Governor  
20301 Mail Service Center  
Raleigh, North Carolina 27699

The Honorable Henry McMaster  
Governor of South Carolina  
1205 Pendleton Street  
Columbia, South Carolina 29201

The Honorable Bill Haslam  
Governor of Tennessee  
Tennessee State Capitol  
Nashville, Tennessee 37243

The Honorable Terry McAuliffe  
Governor of the Commonwealth of Virginia  
State Capitol  
Third Floor  
Richmond, Virginia 23219

The Honorable Greg Abbott  
Governor of Texas  
Office of the Governor  
P.O. Box 12428  
Austin, Texas 78711-2428

The Honorable John Bel Edwards  
Governor of Louisiana  
Office of the Governor  
P.O. Box 94004  
Baton Rouge, Louisiana 70804

The Honorable Rick Scott  
Governor of Florida  
PL 05 The Capitol  
400 South Monroe Street  
Tallahassee, Florida 32399-0001

The Honorable Bruce Rauner  
Governor of Illinois  
State Capitol  
207 Statehouse  
Springfield, Illinois 62706





The Honorable Muriel Bowser  
Mayor of the District of Columbia  
1350 Pennsylvania Avenue, NW  
Suite 316  
Washington, D.C. 20004

The Honorable Eric Holcomb  
Governor of Indiana  
State House, Room 206  
Indianapolis, Indiana 46204-2797

The Honorable Sam Brownback  
Governor of Kansas  
Capitol  
300 Southwest 10th Avenue, Suite 212S  
Topeka, Kansas 66612-1590

The Honorable Matt Bevin  
Governor of Kentucky  
700 Capitol Avenue, Suite 100  
Frankfort, Kentucky 40601

The Honorable Rick Snyder  
Governor of Michigan  
P.O. Box 30013  
Lansing, Michigan 48909

The Honorable Mark Dayton  
Governor of Minnesota  
130 State Capitol  
75 Rev. Dr. Martin Luther King, Jr.  
Boulevard  
St. Paul, Minnesota 55155

The Honorable Eric Greitens  
Governor of Missouri  
Capitol Building, Room 216  
P.O. Box 720  
Jefferson City, Missouri 65102

The Honorable Pete Ricketts  
Governor of Nebraska  
P.O. Box 94848  
Lincoln, Nebraska 68509-4848

The Honorable John Kasich  
Governor of Ohio  
30th Floor  
77 South High Street  
Columbus, Ohio 43215

The Honorable Mary Fallin  
Governor of Oklahoma  
Capitol Building, Room 212  
2300 Lincoln Boulevard  
Oklahoma City, Oklahoma 73105

The Honorable Dennis Daugaard  
Governor of South Dakota  
500 East Capitol Street  
Pierre, South Dakota 57501

The Honorable Scott Walker  
Governor of Wisconsin  
115 East State Capitol  
Madison, Wisconsin 53707

The Honorable Dan Malloy  
Governor of Connecticut  
210 Capitol Avenue  
Hartford, Connecticut 06106

The Honorable Paul LePage  
Governor of Maine  
1 State House Station  
Augusta, Maine 04333

The Honorable Charlie Baker  
Governor of Massachusetts  
Office of the Governor  
State House, Room 360  
Boston, Massachusetts 02133

The Honorable Chris Sununu  
Governor of New Hampshire  
Office of the Governor  
107 North Main Street, Room 208  
Concord, New Hampshire 03301

The Honorable Gina Raimondo  
Governor of Rhode Island  
State House  
Providence, Rhode Island 02903

The Honorable Phil Scott  
Governor of Vermont  
109 State Street  
Pavilion Office Building  
Montpelier, Vermont 05609

The Honorable John Carney  
Governor of Delaware  
Legislative Hall  
Dover, Delaware 19901

The Honorable Chris Christie  
Governor of New Jersey  
The State House  
P.O. Box 001  
Trenton, New Jersey 08625

The Honorable Andrew Cuomo  
Governor of New York  
State Capitol  
Albany, New York 12224

The Honorable Tom Wolf  
Governor of Pennsylvania  
Main Capitol Building, Room 225  
Harrisburg, Pennsylvania 17120

The Honorable Jim Justice  
Governor of West Virginia  
1900 Kanawha Street  
Charleston, West Virginia 25305

The Honorable Asa Hutchinson  
Governor of Arkansas  
State Capitol, Room 250  
Little Rock, Arkansas 72201

The Honorable Kim Reynolds  
Governor of Iowa  
State Capitol  
Des Moines, Iowa 50319-0001

The Honorable Doug Burgum  
Governor of North Dakota  
Dept. 101  
600 East Boulevard Avenue  
Bismarck, North Dakota 58505-0001

The Honorable Susana Martinez  
Governor of New Mexico  
State Capitol  
Fourth Floor  
Santa Fe, New Mexico 87501



Re: August 31, 2017 Fuel Waiver Concerning Conventional and Reformulated Gasoline in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, Delaware, Maryland, New Jersey, New York, Pennsylvania, Florida, Georgia, North Carolina, South Carolina, Virginia, West Virginia, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, Alabama, Arkansas, Louisiana, Mississippi, New Mexico, Texas, and the District of Columbia

Dear Governors and Mayor Bowser:

On August 30, 2017, following damage caused by Hurricane Harvey, I waived certain requirements of the Clean Air Act (CAA) relating to the sale, distribution and use of reformulated gasoline (RFG) and low volatility conventional gasoline during the summer season in a number of states to address fuel supply emergencies caused by Hurricane Harvey. I have received additional requests by some of you or on your behalf to expand the waiver to cover your states. In response to these requests, and based on our evaluation of the continuing effects of Hurricane Harvey on the nation's fuel supply system, the U.S. Environmental Protection Agency has determined, and the U.S. Department of Energy concurs, that it is necessary to take further action to minimize or prevent the disruption of an adequate supply of gasoline in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, Delaware, Maryland, New Jersey, New York, Pennsylvania, Florida, Georgia, North Carolina, South Carolina, Virginia, West Virginia, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, Alabama, Arkansas, Louisiana, Mississippi, New Mexico, Texas, and the District of Columbia. ("designated states and D.C.").<sup>1</sup>

As you know, regulations promulgated under the CAA require the use of low volatility gasoline during the summer months in order to limit the formation of ozone pollution. The regulations requiring the use of low volatility conventional gasoline (CG) during the summer season are found at 40 C.F.R. § 80.27 and in certain State Implementation Plans (SIPs). See 40 C.F.R. § 80.27 and <https://www.epa.gov/gasoline-standards/gasoline-reid-vapor-pressure#table>. The regulations requiring the use of low volatility RFG are found at 40 C.F.R. § 80.78. The RFG regulations at 40 C.F.R. § 80.78(a)(7) also prohibit any person from combining any reformulated blendstock for oxygenate blending (RBOB) with any other gasoline, blendstock, or oxygenate, except for the oxygenate of the type and amount specified by the refiner that produced the RBOB. RBOB is combined with its specified oxygenate to produce RFG.

Ten refineries remain shut-down, restarts of approximately a half dozen previously shut-down refineries will take several days (or possibly weeks, depending on damage), and several other refineries are operating at reduced capacity. In addition, port closures are limiting the supply of crude oil to a number of Gulf-area refineries, all of which has continued to limit the production and availability of fuel to areas both within and outside of the Gulf-area. In addition, pipelines originating in the Gulf-area that serve the south, southeast, mid-Atlantic, and mid-west states, have

---

<sup>1</sup> These areas are located in Petroleum Administration for Defense Districts 1-3.

been disrupted due to storm damage, are down or operating at a reduced capacity. The designated states and D.C. receive a significant percentage of their gasoline supplies from the Gulf-area refineries and through the pipelines originating in the Gulf-area. Consequently, the refinery shut-downs, production curtailments, limited shipments of fuel by barge in the Gulf area, and pipeline limitations caused by Hurricane Harvey are creating a shortage of compliant fuel for the designated states and D.C. These supply shortages can be reduced by waiving the requirements to sell low volatility summer gasoline and by waiving provisions at 40 C.F.R. § 80.78(a)(7) that prohibit any person from combining any RFG blendstock for oxygenate blending with any other gasoline, blendstock, or oxygenate, unless certain conditions are met.

I have determined that an “extreme and unusual fuel [ ] supply circumstance” exists that will prevent the distribution of an adequate supply of gasoline to consumers. CAA § 211(c)(4)(C)(ii)(I), 42 U.S.C. § 7545(c)(4)(C)(ii)(I). This extreme and unusual fuel circumstance is the result of Hurricane Harvey, an event that could not reasonably have been foreseen or prevented, and is not attributable to a lack of prudent planning on the part of suppliers of the fuel to these areas. CAA § 211(c)(4)(C)(ii)(II), 42 U.S.C. § 7545(c)(4)(C)(ii)(II). Furthermore, I have determined that it is in the public interest to grant this waiver and that this waiver applies to the smallest geographic area necessary to address the fuel supply circumstances. CAA § 211(c)(4)(C)(ii)(III) and (iii)(I), 42 U.S.C. § 7545(c)(4)(C)(ii)(III) and (iii)(I).

The EPA, in consultation with DOE, has evaluated the impact of disruption of the fuel production and distribution system on fuel supply in the designated states and D.C. Based on this evaluation, the EPA has determined, and DOE concurs, that it is necessary to take the following action to minimize or prevent further disruption of an adequate supply of gasoline to consumers in these areas.

#### Federal RVP Standards

I am issuing this waiver of the federal Reid vapor pressure (RVP) requirements at 40 C.F.R. § 80.27 in the designated states to minimize or prevent problems with the supply of gasoline to these areas. Under this temporary waiver, regulated parties may produce, sell or distribute winter gasoline (including gasoline blendstocks for oxygenate blending (BOBs)) with an RVP of 11.5 pounds per square inch (psi) before the addition of any ethanol in CG areas within the designated states. This waiver is effective immediately and will continue through September 15, 2017. Since the waiver will be in effect until the end of the high ozone season, this waiver does not address downstream standards under the federal RVP requirements at 40 C.F.R. § 80.27 that apply after September 15, 2017.

#### Federally-Enforceable SIP Covered Areas

Some of the designated states have federally-enforceable SIPs that require the use of low-volatility gasoline. I am issuing this waiver of all low volatility gasoline requirements in any SIP that applies in the designated states to minimize or prevent problems with the supply of gasoline to these areas. Except for the low RVP requirements set forth in the Texas SIP that apply in El



Paso, Texas, this waiver is effective immediately and will continue through September 15, 2017. The waiver of the low RVP requirements in the El Paso SIP are effective immediately and will continue through September 16, 2017.<sup>2</sup>

Gasoline that does not meet the low RVP standards required by any SIP in the designated states may not be introduced into the fuel distribution system for distribution by refiners or importers into the areas covered by the SIPs after the end of the waiver period. Any gasoline meeting the conditions of this waiver that is already in the fuel distribution system before the waiver period ends, may be distributed and sold in the areas covered by the low volatility gasoline SIPs until the supply is depleted.<sup>3</sup>

#### Reformulated Gasoline

I am issuing this waiver of the federal RFG requirements in the designated states and D.C. Under this waiver, the EPA will allow regulated parties to produce, sell or distribute conventional winter gasoline (including BOBs) with an RVP of 11.5 psi before the addition of any ethanol in any RFG covered area within the designated states and D.C. Additionally, I am waiving the provisions at 40 C.F.R. § 80.78(a)(7) that prohibit any person from combining any RFG blendstock for oxygenate blending with any other gasoline, blendstock, or oxygenate, unless certain conditions are met. This waiver covers the prohibitions at 40 C.F.R. § 80.78(a)(7), and applies to all designated states and D.C.<sup>4</sup>

This waiver is effective immediately and will continue through September 15, 2017. Gasoline that does not meet the RFG requirements may not be introduced into terminal storage tanks from which gasoline is dispensed into trucks for distribution to retail outlets in RFG Covered Areas in the designated states and D.C. after September 15, 2017. Any gasoline meeting the conditions of this waiver that is stored in terminal storage tanks for distribution to retail outlets and wholesale purchaser-consumers in these areas after September 15, 2017, may be distributed and sold in RFG Covered Areas in the designated states and D.C. until the supply is depleted. Likewise, retailers and wholesale purchaser-consumers in these areas may continue selling or dispensing gasoline that meets the conditions of this waiver after September 15, 2017, until their supplies are depleted.

This waiver supersedes my August 30, 2017 waiver, and only applies to the applicable federal requirements cited above for the designated states and D.C. Other state or local

---

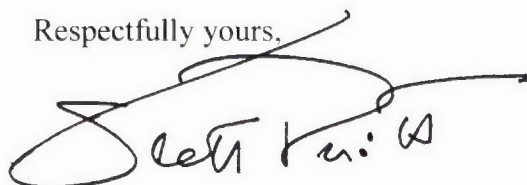
<sup>2</sup> The El Paso SIP requires the use of low RVP gasoline through September 16, 2017.

<sup>3</sup> There are 95 eastern Texas counties that have a 7.8 psi RVP requirement through October 1, 2017. EPA will continue to evaluate the conditions in Texas to evaluate whether an additional waiver may be required past September 15, 2017.

<sup>4</sup> Since I have waived the RVP requirements in 40 C.F.R. § 80.27 and in low RVP SIPs in the designated states, parties who blend butane into previously certified conventional gasoline during the waiver period do not need to conduct the sampling and testing at 40 C.F.R. § 80.82(e)(1). Since I have waived the requirement to sell RFG in the designated states and D.C. during the waiver period, the prohibitions at 40 C.F.R. § 80.82(e)(2) also do not apply during this time period.

requirements or restrictions related to this matter may need to be addressed by the appropriate authorities. Should conditions warrant, this waiver may be modified, terminated or extended, as appropriate. If you have questions you may call me, or your staff may call Phillip Brooks at (202) 564-0652.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Scott Pruitt", with a large, sweeping flourish extending from the end of the signature.

E. Scott Pruitt

cc: The Honorable Rick Perry, Secretary of Energy

Richard Hyde, P.E., Executive Director, Texas Commission on Environmental Quality

Dr. Chuck Carr Brown, Secretary, Louisiana Department of Environmental Quality

Richard E. Dunn, Director, Georgia Environmental Protection Division

Jeffery F. Koerner, Director, Florida Division of Air Resource Management

Molly Joseph Ward, Virginia Secretary of Natural Resources

Michael J. Teague, Oklahoma Secretary of Energy and Environment

Becky W. Keogh, Director, Arkansas Department of Environmental Quality



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

SEP 12 2017

OFFICE OF  
CONGRESSIONAL AND  
INTERGOVERNMENTAL  
RELATIONS

The Honorable Chris Sununu  
Governor of New Hampshire  
Office of the Governor  
25 Capitol Street, Room 212  
Concord, New Hampshire 03301

Dear Governor Chris Sununu:

As we continue to respond to the ongoing impacts of Hurricanes Harvey and Irma, the U.S. Environmental Protection Agency has issued, with U.S. Department of Energy concurrence, an additional fuel waiver that covers 38 states and the District of Columbia. This most recent multi-state waiver was signed on September 7, 2017 and is attached.

If you have questions about this waiver please contact Phillip Brooks at (202) 564-0652 or by email at [brooks.phillip@epa.gov](mailto:brooks.phillip@epa.gov). Any additional questions, please feel free to contact me at (202) 564-4987 or [lyons.troy@epa.gov](mailto:lyons.troy@epa.gov).

Sincerely,



Troy M. Lyons  
Associate Administrator

Enclosure





E. SCOTT PRUITT  
ADMINISTRATOR

September 7, 2017

The Honorable Kay Ivey  
Governor of Alabama  
State Capitol  
600 Dexter Avenue  
Montgomery, Alabama 36130

The Honorable Nathan Deal  
Governor of Georgia  
206 Washington Street  
111 State Capitol  
Atlanta, Georgia 30334

The Honorable Larry Hogan  
Governor of Maryland  
100 State Circle  
Annapolis, Maryland 21401

The Honorable Phil Bryant  
Governor of Mississippi  
P.O. Box 139  
Jackson, Mississippi 39205

The Honorable Roy Cooper  
Governor of North Carolina  
Office of the Governor  
20301 Mail Service Center  
Raleigh, North Carolina 27699

The Honorable Henry McMaster  
Governor of South Carolina  
1205 Pendleton Street  
Columbia, South Carolina 29201

The Honorable Bill Haslam  
Governor of Tennessee  
Tennessee State Capitol  
Nashville, Tennessee 37243

The Honorable Terry McAuliffe  
Governor of the Commonwealth of Virginia  
State Capitol  
Third Floor  
Richmond, Virginia 23219

The Honorable Greg Abbott  
Governor of Texas  
Office of the Governor  
P.O. Box 12428  
Austin, Texas 78711-2428

The Honorable John Bel Edwards  
Governor of Louisiana  
Office of the Governor  
P.O. Box 94004  
Baton Rouge, Louisiana 70804

The Honorable Rick Scott  
Governor of Florida  
PL 05 The Capitol  
400 South Monroe Street  
Tallahassee, Florida 32399-0001

The Honorable Bruce Rauner  
Governor of Illinois  
State Capitol  
207 Statehouse  
Springfield, Illinois 62706



The Honorable Muriel Bowser  
Mayor of the District of Columbia  
1350 Pennsylvania Avenue NW  
Suite 316  
Washington, D.C. 20004

The Honorable Eric Holcomb  
Governor of Indiana  
State House  
Room 206  
Indianapolis, Indiana 46204-2797

The Honorable Sam Brownback  
Governor of Kansas  
Capitol  
300 SW 10th Avenue, Suite 212S  
Topeka, Kansas 66612-1590

The Honorable Matt Bevin  
Governor of Kentucky  
700 Capitol Ave., Suite 100  
Frankfort, Kentucky 40601

The Honorable Rick Snyder  
Governor of Michigan  
P.O. Box 30013  
Lansing, Michigan 48909

The Honorable Mark Dayton  
Governor of Minnesota  
130 State Capitol  
75 Rev. Dr. Martin Luther King, Jr.  
Boulevard  
St. Paul, Minnesota 55155

The Honorable Eric Greitens  
Governor of Missouri  
Capitol Building  
Room 216, P.O. Box 720  
Jefferson City, Missouri 65102

The Honorable Pete Ricketts  
Governor of Nebraska  
P.O. Box 94848  
Lincoln, Nebraska 68509-4848

The Honorable John Kasich  
Governor of Ohio  
30th Floor  
77 South High Street  
Columbus, Ohio 43215

The Honorable Mary Fallin  
Governor of Oklahoma  
Capitol Building  
2300 Lincoln Blvd., Rm. 212  
Oklahoma City, Oklahoma 73105

The Honorable Dennis Daugaard  
Governor of South Dakota  
500 East Capitol Street  
Pierre, South Dakota 57501

The Honorable Scott Walker  
Governor of Wisconsin  
115 East State Capitol  
Madison, Wisconsin 53707

The Honorable Dan Malloy  
Governor of Connecticut  
210 Capitol Avenue  
Hartford, Connecticut 06106

The Honorable Paul LePage  
Governor of Maine  
#1 State House Station  
Augusta, Maine 04333

The Honorable Charlie Baker  
Governor of Massachusetts  
State House  
Office of the Governor, Room 360  
Boston, Massachusetts 02133

The Honorable Chris Sununu  
Governor of New Hampshire  
Office of the Governor  
107 North Main Street, Room 208  
Concord, New Hampshire 03301

The Honorable Gina Raimondo  
Governor of Rhode Island  
State House  
Providence, Rhode Island 02903

The Honorable Phil Scott  
Governor of Vermont  
109 State Street  
Pavilion Office Building  
Montpelier, Vermont 05609

The Honorable John Carney  
Governor of Delaware  
Legislative Hall  
Dover, Delaware 19901

The Honorable Chris Christie  
Governor of New Jersey  
The State House  
P.O. Box 001  
Trenton, New Jersey 08625

The Honorable Andrew Cuomo  
Governor of New York  
State Capitol  
Albany, New York 12224

The Honorable Tom Wolf  
Governor of Pennsylvania  
Room 225  
Main Capitol Building  
Harrisburg, Pennsylvania 17120

The Honorable Jim Justice  
Governor of West Virginia  
1900 Kanawha Street  
Charleston, West Virginia 25305

The Honorable Asa Hutchinson  
Governor of Arkansas  
State Capitol  
Room 250  
Little Rock, Arkansas 72201

The Honorable Kim Reynolds  
Governor of Iowa  
State Capitol  
Des Moines, Iowa 50319-0001

The Honorable Doug Burgum  
Governor of North Dakota  
Dept. 101  
600 E. Boulevard Ave.  
Bismarck, North Dakota 58505-0001

The Honorable Susana Martinez  
Governor of New Mexico  
State Capitol  
Fourth Floor  
Santa Fe, New Mexico 87501

Re: September 7, 2017 Fuel Waiver Concerning Conventional and Reformulated Gasoline in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, Delaware, Maryland, New Jersey, New York, Pennsylvania, Florida, Georgia, North Carolina, South Carolina, Virginia, West Virginia, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, Alabama, Arkansas, Louisiana, Mississippi, New Mexico, Texas, and the District of Columbia

Dear Governors and Mayor Bowser:

On August 31, 2017, following damage caused by Hurricane Harvey, I waived certain requirements of the Clean Air Act (CAA) relating to the sale, distribution and use of reformulated gasoline (RFG) and low volatility conventional gasoline in your states to address fuel supply emergencies caused by Hurricane Harvey. I have received requests by some of you or on your behalf regarding the continuing need for a waiver of the RFG requirements and the unique low volatility requirements in the Texas State Implementation Plan (SIP) that apply after the waiver period covered by my August 31, 2017 letter.

In response to these requests, and based on our evaluation of the continuing effects of Hurricane Harvey on the nation's fuel supply system and the effects of large-scale evacuations in response to Hurricane Irma, the U.S. Environmental Protection Agency has determined, and the U.S. Department of Energy concurs, that it is necessary to take further action to minimize or prevent the disruption of an adequate supply of gasoline in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, Delaware, Maryland, New Jersey, New York, Pennsylvania, Florida, Georgia, North Carolina, South Carolina, Virginia, West Virginia, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, Alabama, Arkansas, Louisiana, Mississippi, New Mexico, Texas, and the District of Columbia. ("designated states and D.C.")<sup>1</sup>

As a result of Hurricane Harvey, about 14 refineries in the Gulf-area were shut down, pipelines originating in the Gulf-area that serve the south, southeast, mid-Atlantic, and mid-west states were disrupted due to storm damage, and ports that supply crude oil to Gulf-area refineries were closed. The designated states and D.C. receive a significant percentage of their gasoline supplies from the Gulf-area refineries and through the pipelines originating in the Gulf-area. Although parties in the fuel production and supply chain are making progress towards resuming normal operations, there continues to be limited production and availability of fuel to areas both within and outside of the Gulf-area. Currently six of those refineries remain shut-down, and many others are in the process of re-starting or operating at reduced capacity. While ports serving these refineries are beginning to re-open, most have restrictions limiting shipments. The refinery shut-downs, production curtailments, limited shipments of fuel by barge in the Gulf area, pipeline limitations caused by Hurricane Harvey and evacuations caused by Hurricane Irma are continuing

---

<sup>1</sup> These areas are located in Petroleum Administration for Defense Districts 1-3.



to create a shortage of compliant fuel for the designated states and D.C.

These supply shortages can be reduced by waiving the low volatility gasoline requirements, the RFG requirements, and provisions at 40 C.F.R. § 80.78(a)(7) that prohibit any person from combining any RFG blendstock for oxygenate blending with any other gasoline, blendstock, or oxygenate, unless certain conditions are met.

I have determined that an “extreme and unusual fuel [ ] supply circumstance” exists that will prevent the distribution of an adequate supply of gasoline to consumers. CAA § 211(c)(4)(C)(ii)(I), 42 U.S.C. § 7545(c)(4)(C)(ii)(I). This extreme and unusual fuel circumstance is the result of Hurricane Harvey and impending impact of Hurricane Irma, natural disasters that could not reasonably have been foreseen or prevented, and is not attributable to a lack of prudent planning on the part of suppliers of the fuel to these areas. CAA § 211(c)(4)(C)(ii)(II), 42 U.S.C. § 7545(c)(4)(C)(ii)(II). Furthermore, I have determined that it is in the public interest to grant this waiver and that this waiver applies to the smallest geographic area necessary to address the fuel supply circumstances. CAA § 211(c)(4)(C)(ii)(III) and (iii)(I), 42 U.S.C. § 7545(c)(4)(C)(ii)(III) and (iii)(I).

The EPA, in consultation with DOE, has evaluated the impact of disruption of the fuel production and distribution system on fuel supply in the designated states and D.C. Based on this evaluation, the EPA has determined, and DOE concurs, that it is necessary to take the following action to minimize or prevent further disruption of an adequate supply of gasoline to consumers in these areas.

#### Federal RVP Standards

I am issuing this waiver of the federal Reid vapor pressure (RVP) requirements at 40 C.F.R. § 80.27 in the designated states to minimize or prevent problems with the supply of gasoline to these areas. Under this temporary waiver, regulated parties may produce, sell or distribute winter gasoline within the designated states. This waiver is effective immediately and will continue through September 15, 2017. Since the waiver will be in effect until the end of the high ozone season, this waiver does not address downstream standards under the federal RVP requirements at 40 C.F.R. § 80.27 that apply after September 15, 2017.

#### Texas Low Volatility SIP

I am extending the waiver of the 7.8 pounds per square inch (psi) RVP standards that applies to the areas covered by the Texas low-volatility gasoline programs in the federally-enforceable SIP. The Texas SIP includes two different programs. First, the SIP requires gasoline to be sold in 95 eastern Texas counties (Eastern Texas SIP RVP Counties) to have a maximum RVP of 7.8 psi during the summer “high ozone” season, which starts June 1, 2017 and ends on October 1, 2017. 66 Fed. Reg. 20,927 (April 26, 2001).<sup>2</sup> Second, the Texas SIP requires gasoline

---

<sup>2</sup> The following 95 eastern Texas counties have a 7.8 psi RVP requirement through October 1, 2017: Anderson,

sold in El Paso County to have a maximum RVP of 7.0 psi RVP through September 16, 2017. 60 Fed. Reg. 12,438 (March 7, 1995).

I am issuing this waiver of the low RVP gasoline requirements that apply to the federally enforceable Texas low volatility gasoline programs. This waiver is effective immediately. Under this temporary waiver, regulated parties may produce, sell or distribute winter gasoline within the state of Texas.

The waiver of the low RVP requirements in the Texas SIP that apply to El Paso County will continue through September 16, 2017. Since the waiver will be in effect until the end of the time period that requires the use of low volatility gasoline in El Paso county under the Texas SIP, this waiver does not address downstream standards that apply in El Paso county after September 16, 2017.

The waiver of the low RVP requirements in the Texas SIP that apply to the Eastern Texas SIP Counties will continue through September 26, 2017. After September 26, 2017, refiners and importers may not produce or import gasoline that does not meet the Texas SIP requirements for distribution into the Eastern Texas SIP RVP Counties. However, any gasoline for use in the Eastern Texas SIP RVP Counties that is in the distribution system on September 26, 2017, may be distributed and sold until the supply is depleted. Gasoline that is in the possession of parties in the fuel distribution system other than retailers and wholesale purchaser-consumers must meet the low RVP requirements of the Texas SIP by no later than October 26, 2017. Retailers and wholesale purchaser-consumers may continue selling or dispensing gasoline produced under the waiver until their supplies are depleted.

#### Other Federally-Enforceable SIP Covered Areas

Some of the designated states have federally-enforceable SIPs that require the use of low-volatility gasoline. I am issuing this waiver of all low volatility gasoline requirements in any SIP that applies in the designated states (other than Texas which is addressed above) to minimize or prevent problems with the supply of gasoline to these areas. This waiver is effective immediately and will continue through September 15, 2017. Since the waiver will be in effect until the end of the high ozone season, this waiver does not address downstream RVP standards that apply after September 15, 2017.

---

Angelina, Aransas, Atascosa, Austin, Bastrop, Bee, Bell, Bexar, Bosque, Bowie, Brazos, Burleson, Caldwell, Calhoun, Camp, Cass, Cherokee, Colorado, Comal, Cooke, Coryell, De Witt, Delta, Ellis, Falls, Fannin, Fayette, Franklin, Freestone, Goliad, Gonzales, Grayson, Gregg, Grimes, Guadalupe, Harrison, Hays, Henderson, Hill, Hood, Hopkins, Houston, Hunt, Jackson, Jasper, Johnson, Karnes, Kaufman, Lamar, Lavaca, Lee, Leon, Limestone, Live Oak, Madison, Marion, Matagorda, McLennan, Milam, Morris, Nacogdoches, Navarro, Newton, Nueces, Panola, Parker, Polk, Rains, Red River, Refugio, Robertson, Rockwall, Rusk, Sabine, San Jacinto, San Patricio, San Augustine, Shelby, Smith, Somervell, Titus, Travis, Trinity, Tyler, Upshur, Van Zandt, Victoria, Walker, Washington, Wharton, Williamson, Wilson, Wise, and Wood.

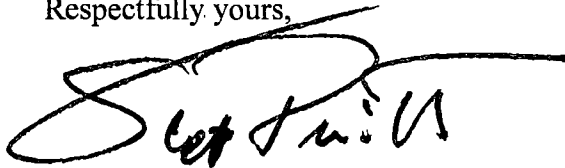
## Reformulated Gasoline

I am issuing this waiver of the federal RFG requirements in the designated states and D.C. Under this waiver, the EPA will allow regulated parties to produce, sell or distribute conventional winter gasoline (including gasoline blendstock for oxygenate blending (BOBs)) in any RFG covered area within the designated states and D.C. Additionally, I am waiving the provisions at 40 C.F.R. § 80.78(a)(7) that prohibit any person from combining any RFG BOBs with any other gasoline, blendstock, or oxygenate, unless certain conditions are met. This waiver covers the prohibitions at 40 C.F.R. § 80.78(a)(7), and applies to all designated states and D.C.<sup>3</sup>

This waiver is effective immediately and will continue through September 26, 2017. After September 26, 2017, refiners and importers may not produce or import CG for distribution into RFG covered areas in the designated states and D.C. However, any gasoline for use in the designated states and D.C. that is in the distribution system on September 26, 2017, may be distributed and sold until the supply is depleted. Gasoline that is in the possession of parties in the fuel distribution system other than retailers and wholesale purchaser-consumers must meet the RFG requirements by no later than October 26, 2017. Retailers and wholesale purchaser-consumers may continue selling or dispensing gasoline produced under the waiver until their supplies are depleted.

This waiver supersedes my August 31, 2017 waiver, and only applies to the applicable federal requirements cited above for the designated states and D.C. Other state or local requirements or restrictions related to this matter may need to be addressed by the appropriate authorities. Should conditions warrant, this waiver may be modified, terminated or extended, as appropriate. If you have questions you may call me, or your staff may call Phillip Brooks at (202) 564-0652.

Respectfully yours,

A handwritten signature in black ink, appearing to read "E. Scott Pruitt", with a large, sweeping flourish extending to the right.

E. Scott Pruitt

cc: The Honorable Rick Perry, Secretary of Energy

Richard Hyde, P.E., Executive Director, Texas Commission on Environmental Quality

Dr. Chuck Carr Brown, Secretary, Louisiana Department of Environmental Quality

---

<sup>3</sup>Since I have waived the RVP requirements in 40 C.F.R. § 80.27 and in low RVP SIPs in the designated states, parties who blend butane into previously certified conventional gasoline during the waiver period do not need to conduct the sampling and testing at 40 C.F.R. § 80.82(e)(1). Since I have waived the requirement to sell RFG in the designated states and D.C. during the waiver period, the prohibitions at 40 C.F.R. § 80.82(e)(2) also do not apply during this time period.

Richard E. Dunn, Director, Georgia Environmental Protection Division  
Jeffery F. Koerner, Director, Florida Division of Air Resource Management  
Molly Joseph Ward, Virginia Secretary of Natural Resources  
Michael J. Teague, Oklahoma Secretary of Energy and Environment  
Becky W. Keogh, Director, Arkansas Department of Environmental Quality





E. SCOTT PRUITT  
ADMINISTRATOR

December 20, 2017

The Honorable Chris Sununu  
Governor of New Hampshire  
107 North Maine Street  
Concord, New Hampshire 03301

Dear Governor Sununu:

I am writing to inform you that the U.S. Environmental Protection Agency has completed additional area designations for the health-based National Ambient Air Quality Standard for sulfur dioxide (SO<sub>2</sub>) established in 2010. The enclosed table summarizes the portions of New Hampshire the agency is designating at this time. These designations are explained more fully in the accompanying technical support document available at <https://www.epa.gov/sulfur-dioxide-designations/final-technical-support-documents-area-designations-round-3>. This action completes area designations for New Hampshire.

Improving air quality to protect public health is a shared goal. Through local, state, tribal, and national programs, we have made considerable progress to reduce SO<sub>2</sub> levels throughout the country. Nationwide, monitored levels of sulfur dioxide have dropped 85 percent since 1990. I appreciate the work you have done and the partnership we have developed to achieve this impressive reduction.

If you have questions or concerns, please contact me or your staff may contact Troy Lyons, Associate Administrator for the Office of Congressional and Intergovernmental Relations, at [lyons.troy@epa.gov](mailto:lyons.troy@epa.gov) or at (202) 564-5200.

Respectfully yours,

A handwritten signature in black ink, which appears to read "Scott Pruitt", is written over the typed name. The signature is stylized and fluid.

E. Scott Pruitt

Enclosure



| <b>New Hampshire—2010 Sulfur Dioxide NAAQS (Primary)</b> |                         |                           |
|--|-------------------------|---------------------------|
| <b>Designated area<sup>1</sup></b>                       | <b>Designation</b>      |                           |
|  | <b>Date<sup>2</sup></b> | <b>Type</b>               |
| Central New Hampshire, NH                                | 10-4-13                 | Nonattainment             |
| Hillsborough County (part)                               |                         |                           |
| Merrimack County (part)                                  |                         |                           |
| Rockingham County (part)                                 |                         |                           |
| Rest of State:   |                         |                           |
| Belknap County   |                         | Attainment/Unclassifiable |
| Carroll County   |                         | Attainment/Unclassifiable |
| Cheshire County  |                         | Attainment/Unclassifiable |
| Coos County  |                         | Attainment/Unclassifiable |
| Grafton County   |                         | Attainment/Unclassifiable |
| Hillsborough County (part)                               |                         | Attainment/Unclassifiable |
| Merrimack County (part)                                  |                         | Attainment/Unclassifiable |
| Rockingham County (part)                                 |                         | Attainment/Unclassifiable |
| Strafford County   |                         | Attainment/Unclassifiable |
| Sullivan County  |                         | Attainment/Unclassifiable |

<sup>1</sup>Includes any Indian country in each county or area, unless otherwise specified. The EPA is not determining the boundaries of any area of Indian country in this table, including any area of Indian country located in the larger designation area. The inclusion of any Indian country in the designation area is not a determination that the state has regulatory authority under the Clean Air Act for such Indian country.

<sup>2</sup>This date is 90 days after publication in the *Federal Register*, unless otherwise noted.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

February 8, 2018

The Honorable Christopher T. Sununu  
Governor of New Hampshire  
State House  
107 North Main Street  
Concord, NH 03301

Dear Governor Sununu:

Thank you for your January 24 letter to Administrator Pruitt about Great Bay permitting issues. The Administrator has asked me to respond to you on his behalf.

EPA recognizes and appreciates the significant and meaningful investments that New Hampshire communities have made to reduce nitrogen discharges to Great Bay. We share your interest in ensuring that continuing investments are guided by the best available science about the Bay's health and ecology. On February 6, Dave Ross, EPA's Assistant Administrator for Water and I met with members of the Great Bay Coalition to discuss these issues. The discussion was productive, collaborative, and amicable, and the group agreed to several cooperative follow-up steps, including further discussions to ensure that we are all sharing the latest scientific information about Great Bay.

EPA is committed to continue to engage these communities and the public in this ongoing dialogue based on outcomes and results. We know that permitting decisions have important consequences for communities, and we will maintain active communications with them as the permitting process unfolds. We will also continue to work closely with the NH Department of Environmental Services (DES). Commissioner Bob Scott participated in the February 6 meeting; we highly value DES's engagement and believe it is very important that we continue to work together on these permits. We also appreciate the strong interest in this meeting shown by the participation of your Senate and House delegations' staff and our related meeting with representatives of the Conservation Law Foundation.

Thank you for your interest and commitment. I look forward to working with New Hampshire on these issues, which are so important to the state's environmental and economic future.

Sincerely,

A handwritten signature in black ink, reading "Alexandra Dapolito Dunn".

Alexandra Dapolito Dunn  
Regional Administrator



**E. SCOTT PRUITT**  
**ADMINISTRATOR**

March 19, 2018

The Honorable Chris Sununu  
Governor of New Hampshire  
Office of the Governor, 25 Capitol Street, Room 212  
Concord, New Hampshire, 03301

Dear Governor Sununu:

Protecting public health and ensuring the safety of our nation's land and drinking water are among the U.S. Environmental Protection Agency's (EPA's) highest priorities. Per- and polyfluoroalkyl substances (PFAS) have emerged as a concern in communities across the nation and it is time to come together to identify near-term actions to protect the health of all Americans.

EPA will be hosting a National Leadership Summit to identify solutions to address PFAS challenges in drinking water and at contaminated sites. The summit will be held in Washington, D.C. on May 22-23, 2018, and we will work side-by-side with states, tribes and other partners to dedicate our collective expertise and resources to manage these chemicals. At the summit, we will work together to:

- Share information on ongoing efforts to characterize risks from PFAS and develop monitoring and treatment/cleanup techniques;
- Identify specific near-term actions, beyond those already underway, that are needed to address challenges currently facing states and local communities; and
- Develop risk communication strategies to help address public concerns with PFAS.

Following the summit, EPA will travel to states with communities impacted by PFAS to further engage on ways the Agency can best support the work that's being done at the state, local, and tribal levels. Using information from the National Leadership Summit and our community engagement, EPA plans to develop a PFAS Management Plan for release later this year.

I look forward to an engaging and productive meeting. My staff will reach out to your office to provide additional information on the event. If you need more information, please contact Dr. Peter Grevatt, Director of the Office of Ground Water and Drinking Water, at [Grevatt.Peter@epa.gov](mailto:Grevatt.Peter@epa.gov).

Respectfully yours,

E. Scott Pruitt







E. SCOTT PRUITT  
ADMINISTRATOR  
April 4, 2018

The Honorable Chris Sununu  
Governor of New Hampshire  
Office of the Governor  
25 Capitol Street, Room 212  
Concord, New Hampshire 03301

Dear Governor Sununu:

Protecting public health and upgrading our nation's water infrastructure are among the U.S. Environmental Protection Agency's highest priorities. Today, I signed the second round of funding for the Water Infrastructure Finance and Innovation Act (WIFIA) loan program. This year, thanks to the Consolidated Appropriations Act signed by President Donald Trump, we hope to make available as much as \$5.5 billion in loans, which could leverage over \$11 billion in investment for water infrastructure projects.

This new round of WIFIA funding represents an opportunity to incentivize states and municipalities to correct local infrastructure problems, create jobs, and provide clean water for our communities and safe drinking water for our citizens. This year, I am placing the highest priority on projects that keep lead and other contaminants out of drinking water and update our nation's aging drinking water and wastewater infrastructure. Whether projects are in large cities or small towns, in dry or wet areas, on the coast or in the middle of the country, or include a group of small systems that have banded together, I want to encourage all communities to submit a letter of interest.

I hope you will think creatively when you look for opportunities to either forge public-private partnerships or expand the reach of your State Revolving Fund program with WIFIA funds, as Indiana is planning to do with 2017 funds. Other innovative ideas from 2017 include: a membrane treatment facility in Oak Ridge, Tennessee; a comprehensive infrastructure repair, rehabilitation, and replacement program in Baltimore, Maryland; and a combined sewer overflow retention treatment basin in Omaha, Nebraska.

Letters of interest must be submitted by July 6, 2018. More information is available at: [www.epa.gov/wifia](http://www.epa.gov/wifia) or your staff may contact Jorianne Jernberg at [WIFIA@epa.gov](mailto:WIFIA@epa.gov).

Respectfully yours,

A handwritten signature in black ink, which appears to read "Scott Pruitt", is written over the "Respectfully yours," text.

E. Scott Pruitt

1200 PENNSYLVANIA AVE, NW • MAIL CODE 1101A • WASHINGTON, DC 20460 • (202) 564-4700 • FAX: (202) 501-1450



This paper is printed with vegetable-oil-based inks and is 100-percent postconsumer recycled material, chlorine-free-processed and recyclable.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1  
5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MA 02109-3912

September 12, 2018

Christopher T. Sununu, Governor  
State of New Hampshire  
107 North Main Street, State House – Room 208  
Concord, New Hampshire 03301

Dear Governor Sununu:

Thank you for your July 28, 2018, letter designating the New Hampshire Department of Health and Human Services (NH DHHS) as the authorized agency for entering into State Indoor Radon Grant (SIRG) agreements with the Environmental Protection Agency.

Exposure to radon in the United States causes an estimated 21,000 lung cancer deaths annually and radon is the second-leading cause of lung cancer after smoking. We acknowledge the importance of state radon programs for reducing radon risk and saving lives and are pleased that New Hampshire is supporting this critical program.

We are excited to be working with New Hampshire again as a collaborative partner in the SIRG program. EPA staff met with NH DHHS in Concord on August 28<sup>th</sup> to discuss SIRG Program Guidance and the Grant Agreement Workplan currently under development. We look forward to supporting this Radon Risk Reduction Workplan to reduce lung cancer deaths through the SIRG program.

If you have any questions regarding this matter, please don't hesitate to contact me, or your staff may contact Eric Wortman of my staff at (617) 918-1624.

Sincerely,

A handwritten signature in black ink, reading "Alexandra Dunn", is positioned above the typed name.

Alexandra Dunn  
Regional Administrator

cc: Jefferey A. Meyers, DHHS Commissioner  
Lisa Morris, DPHS Director  
Mathew Cahillane, DPHS Program Manager



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 18, 2018

The Honorable Christopher T. Sununu  
Governor of New Hampshire  
107 North Main Street  
State House - Room 208  
Concord, New Hampshire 03301

OFFICE OF THE  
ADMINISTRATOR

Dear Governor Sununu:

Thank you for your Aug. 22, 2018, letter to the U.S. Environmental Protection Agency detailing the increase in vector-borne diseases like Lyme disease and the profound impact that these diseases have on humans, animals, and the economy, especially in your state of New Hampshire. In your letter, you urge the EPA to accelerate its review of the new active ingredient nootkatone, which might help reduce the incidence of these diseases.

As you are aware, the EPA currently has an action under review for nootkatone. The application has a Pesticide Registration Improvement Act (PRIA) decision due date of February 11, 2019, and the EPA is working to reach a decision by that deadline. The application, however, is for a manufacturing-use product only, the sole purpose of which is for use in the manufacturing of potential pesticide end-use (consumer) products, such as those that control or repel insects that may carry vector-borne diseases. Those consumer products would, in turn, also require federal registration.

The EPA has not received an application for a consumer product containing the active ingredient, nootkatone. Should the EPA receive an application for pesticide registration of a new consumer product containing nootkatone, that submission will be subject to the statutory review time allocated under PRIA.

Please know that the EPA views efforts to enhance control options for public health pests to be a high priority and will work as expeditiously as possible to complete the regulatory review process on any applications submitted for registration and issue a decision within the designated time allotted under PRIA, provided that those products meet the Federal Insecticide, Fungicide, and Rodenticide Act standard for registration.

Again, thank you for your letter. If you have further questions or concerns, please contact me or your staff may contact Troy Lyons, Associate Administrator for Congressional and Intergovernmental Relations, at (202) 564-5200 or Lyons.Troy@epa.gov.

Sincerely,

A handwritten signature in black ink, which appears to read "Andrew R. Wheeler", is written over a horizontal line.

Andrew R. Wheeler  
Acting Administrator